

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

IN RERONALD DWAYNE WHITFIELD, et al § MISCELLANEOUS ACTION NO. C-07-91

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**ORDER ADOPTING MEMORANDUM AND  
RECOMMENDATION TO DISMISS**

On September 27, 2007, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that the Court dismiss actions by petitioners Ricky Dale Peavy and Dewayne Lee Waldrup for failure to prosecute. Copies of the Memorandum and Recommendation were mailed to petitioners Peavy and Waldrup with cards to be returned indicating their receipt of the mailing. The cards have not been returned by petitioners nor have the mailings been returned by the U.S. Post Office as undeliverable. Therefore, seeing no objection to this recommendation by either party and having now reviewed the recommendation, this Court hereby adopts as its own the Memorandum and Recommendation as the decision of the Court. Accordingly, it is

ORDERED that the actions by petitioners Ricky Dale Peavy and Dewayne Lee Waldrup are hereby dismissed for failure to prosecute.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 13th day of December, 2007.

  
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Janis Graham Jack  
United States District Judge